Anslation RECEIVE	PCT (6 ^C) ONAL PRELIMINARY EXAMINATION REPORT
TECH CENTER 1600	
,	(PCT Article 36 and Rule 70) 99/424
Applicant's or agent's file reference s81969wo Megn	FOR FURTHER ACTION See Notification of Transmittal of Interpretation Preliminary Examination Report (Form PCT/IPI
International application No. PCT/EP98/06137	International filing date (day/month/year) Priority date (day/month/year) 26 September 1998 (26.09.98) 27 September 1997 (27.0
International Patent Classification (IPC) or n C12Q1/02	
C12Q1/02	
Applicant	EVOTEC BIOSYSTEMS AG
	LVOILE BIOSTSTEMS AG
	mination report has been prepared by this International Preliminary Examini
Authority and is transmitted to the a	applicant according to Article 36.
2. This REPORT consists of a total of	sheets, including this cover sheet.
This report is also accompar been amended and are the be	4 sheets, including this cover sheet. nied by ANNEXES, i.e., sheets of the description, claims and/or drawings which hasis for this report and/or sheets containing rectifications made before this Author 607 of the Administrative Instructions under the PCT).
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP98/06137

I. Basis of tl	ne report			
1. This repo under Artic	rt has been drawn of	on the basis of (in this report as	Replacement sheets "originally filed"	which have been furnished to the receiving Office in response to an invitation and are not annexed to the report since they do not contain amendments.);
	the international	application as	originally filed.	
\boxtimes	the description,	pages	1-35	, as originally filed,
				, filed with the demand,
		pages	·	, filed with the letter of,
		pages	<u> </u>	, filed with the letter of
	the claims,	Nos	1-14	, as originally filed,
		Nos.		, as amended under Article 19,
		Nos.		, filed with the demand,
		Nos.		, filed with the letter of,
		Nos.		, filed with the letter of
	the drawings,	sheets/fig	1/5-5/5	, as originally filed,
_		sheets/fig		, filed with the demand,
	,	sheets/fig		, filed with the letter of,
		sheets/fig		, filed with the letter of
2. The amend	iments have resulte	ed in the cancel	lation of:	
	the description,	pages		
	the claims,			
	the drawings,			
3. This	report has been es	stablished as if	(some of) the ame	endments had not been made, since they have been considered Supplemental Box (Rule 70.2(c)).
10 g	o beyond the diser	osure as meu, a	s indicated in the	Supplemental Box (Rule 70.2(c)).
4. Additional	observations, if ne	cessary:		
				;

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Internation application No.
PCT/EP 98/06137

V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

Statement			
Novelty (N)	Claims	1-14	YES
·	Claims	 	NO NO
Inventive step (IS)	Claims	 1-14	YES
	Claims	_	NO
Industrial applicability (IA) Claims	1-14	YES
.,	Claims		NO NO

2. Citations and explanations

This report makes reference to the following documents:

- D1 The Journal of Biological Chemistry, 272(35), 1997, 22285-22292
- D2 Cell, 70, 1992, 267-281
- D3 Science, 268, 1995, 103-106

Independent Claim 1 concerns a method for determining active substances that influence the covalent bonding of polypeptides on the surface of gram-positive bacteria. Detecting substances that inhibit the anchoring of surface proteins is extremely important since bacterial surface proteins indicate infection factors and corresponding inhibiting substances could be used as a new class of antibiotics.

The method according to the invention is made possible in that an enzyme is used as reporter peptide, whose covalent bonding is tested in the presence of the substances to be tested. The enzyme shows different activity depending on whether or not it is covalently bonded. The measurement of the enzyme activity enables direct conclusions to be drawn concerning the effectiveness of the test substance.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Internation application No.

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The mechanisms of polypeptide anchoring on the cell surface are known from the prior art (cf. D1-D3) and it is also suggested to inhibit covalent bonding to develop a new generation of antibiotics (cf. the sections in D1 and D2 which are mentioned in the search report).

None of the present documents, however, mentions or suggests the possibility of developing a detection system involving covalently bondable enzymes with variable activity.

Therefore, Claim 1 meets the requirements of PCT Article 33(2) and (3).

Claims 2-14 are dependent on Claim 1 and therefore also meet the PCT requirements with regard to novelty and inventive step.

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

PCT

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INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

(Artikel 36 und Regel 70 PCT)

	(Artikei 30 und negel 70 POT)
Aktenzeichen des Anmelders oder Anwalts 981969wo Me/kk	weiteres vorgehen siehe Mitteilung über die Übersendung des internationaler vorläufigen Prüfungsbericht (Formblatt PCT/IPEA/416)
Internationales Aktenzeichen	Internationales Anmeldedatum(Tag/Monat/Jahr) Prioritätsdatum (Tag/Monat/Tag)
PCT/EP98/06137	26/09/1998 27/09/1997
Internationale Patentklassification (IPK) oder	r nationale Klassifikation und IPK
C12Q1/02	
Anmelder	
EVOTEC BIOSYSTEMS AG et al.	
Dieser internationale vorläufige Pro Behörde erstellt und wird dem Ann	rüfungsbericht wurde von der mit der internationale vorläufigen Prüfung beauftragte melder gemäß Artikel 36 übermittelt.
2. Dieser BERICHT umfaßt insgesam	nt 4 Blätter einschließlich dieses Deckblatts.
und/oder Zeichnungen, die ge	t ANLAGEN bei; dabei handelt es sich um Blätter mit Beschreibungen, Ansprüchen eändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit vor dieser
Behörde vorgenommenen Bei	richtigungen (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsrichtlinien zum PC
Diese Anlagen umfassen insgesar	mt Blätter.
Bioso , magon annaces magocan	
3. Dieser Bericht enthält Angaben zu	ı folgenden Punkten:
│ │ │ │ │ │ │ │ │ │ │ │ │ │ │ │	nte ·
II Priorität	
	s Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit
IV MangeInde Einheitlich	
V 🛛 Begründete Feststellu	ung nach Artikel 35(2) hinsichtlich der Neuheit, der erfinderische Tätigkeit und der barkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
VI 🗆 Bestimmte angeführte	e Unterlagen
VII Bestimmte Mängel de	er internationalen Anmeldung
VIII Bestimmte Bemerkun	ngen zur internationalen Anmeldung
Datum der Einreichung des Antrags	Datum der Fertigstellung dieses Berichts
06/03/1999	ŋ 5. ŋg. 99
Name und Postanschrift der mit der internat	tionalen vorläufigen Bevollmächtigter Bediensteter
Prüfung beauftragten Behörde:	la de la companya de
Europäisches Patentamt D-80298 München	von Ballmoos, P
Tel. (+49-89) 2399-0 Tx: 5236 Fax: (+49-89) 2399-4465	

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP98/06137

 ·	dlage	- 4	D	
 •run	alaa	9 00%	Den	CNIS

1. Dieser Bericht wurde erstellt auf der Grundlage (*Ersatzblätter, die dem Anmeldeamt auf eine Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten im Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigefügt, weil sie keine Änderungen enthalten.*):

	nicht beigefügt, weil sie keine Änderungen enthalten.):										
	Bes	chreibung, Seiten	:								
	1-39	5	ursprüngliche	Fassu	ıng						
	Pate	entansprüche, Nr.	:								
	1-14		ursprüngliche Fassung								
	Zeid	chnungen, Blätter	:								
	1/5-	5/5	ursprüngliche	Fassı	ung						
2.	Auf	grund der Änderung	gen sind folge	nde Ur	nterlagen forto	gefallen:					
		Beschreibung,	Seiten:								
		Ansprüche,	Nr.:								
		Zeichnungen,	Blatt:								
3.		Dieser Bericht ist angegebenen Grüeingereichten Fas	inden nach Au	ıffassu	ng der Behör	de über	Änderunge den Offen	n erstellt barungsg	worden, d ehalt in d	da diese a er ursprün	us den Iglich
4.	Etw	vaige zusätzliche Bo	emerkungen:		•						
۷.	Be	gründete Feststell	ung nach Arl	tikel 35	i(2) hinsichtl	ich der	Neuheit, d	ler erfind	erischen	ı Tätigkeit	t und dei
	gev	verblichen Anwen	dbarkeit; Un	terlage	en und Erklär	ungen :	zur Stützu	ing diese	r Festste	Hung	
1.	Fes	ststellung									
	Ne	uheit (N)		Ja: Nein:	Ansprüche Ansprüche	1-14 					
	Erf	inderische Tätigkeit	t (ET)	Ja: Nein:	Ansprüche Ansprüche	1-14					
	Ge	werbliche Anwendt	oarkeit (GA)	Ja:	Ansprüche	1-14					

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP98/06137

2. Unterlagen und Erklärungen siehe Beiblatt

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT - BEIBLATT

Teil V

Die folgenden Dokumente werden in diesem Bescheid genannt:

- D1 The Journal of Biological Chemistry, 272(35), 1997, 22285-22292
- D2 Cell, 70, 1992, 267-281
- D3 Science, 268, 1995, 103-106

Der unabhängige Anspruch 1 betrifft ein Verfahren zur Bestimmung von Wirksubstanzen, welche die kovalente Verknüpfung von Polypeptiden an die Oberfläche von Gram-positiven Bakterien beeinflussen. Detektion von Substanzen, welche die Verankerung von Oberflächenproteinen inhibieren, ist von grosser Bedeutung, da bakterielle Oberflächenproteine Infektionsfaktoren darstellen und entsprechende Hemmsubstanzen Verwendung als neue Klasse von Antibiotika finden könnten.

Das erfindungsgemässe Verfahren wird dadurch ermöglicht, dass als Reporterpeptid, dessen kovalente Verknüpfung in Anwesenheit von zu testenden Substanzen geprüft wird, ein Enzym eingesetzt wird, welches unterschiedliche Aktivität zeigt je nachdem, ob es kovalent gebunden oder frei vorliegt. Die Messung der Enzymaktivität lässt somit direkte Rückschlüsse auf die Wirksamkeit der Testsubstanz zu.

Aus dem Stand der Technik sind die Mechanismen der Polypeptidverankerung auf der Zelloberfläche bekannt (siehe D1-D3) und es wurde auch vorgeschlagen, die Hemmung der kovalenten Bindung für die Entwicklung einer neuen Generation von Antibiotika auszunützen (siehe die im Recherchenbericht erwähnten Stellen in D1 und D3).

Keines der vorhandenen Dokumente erwähnt jedoch die Möglichkeit, ein Detektionssystem zu entwickeln, das auf kovalent verbindbaren Enzymen mit veränderlicher Aktivität beruht oder legt diese Möglichkeit nahe.

Anspruch 1 erfüllt somit die Erfordernisse der Artikel 33(2) und (3) PCT.

Die Ansprüche 2-14 sind vom Anspruch 1 abhängig und erfüllen damit ebenfalls die Erfordernisse des PCT in bezug auf Neuheit und erfinderische Tätigkeit.